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August 31, 2018

Ms. Judy Huang, SFD-8-3
U.S. Environmental Protection Agency, Region IX
75 Hawthorne Street
San Francisco, CA 94105

Subject: Contract No. EP-W-07-066 / Task Order No. 066-25-09P3, Hunters Point Shipyard, Review of the Draft Fourth Five-Year Review, Hunters Point Naval Shipyard, San Francisco, California, July 2018

Dear Ms. Huang:

Enclosed please find TechLaw's review of the Draft Fourth Five-Year Review, Hunters Point Naval Shipyard, San Francisco, California, dated July 9, 2018.

These comments are being forwarded to you by electronic mail in Word format. TechLaw understands you will review and augment the comments at your discretion.

Thank you for the opportunity to provide the U.S. EPA with technical oversight services for Hunters Point Naval Shipyard. Should you have any questions or comments, please contact Ms. Karla Brasaemle at (415) 762-0566.

Sincerely,

A handwritten signature in black ink, appearing to read 'Indira D. Balkissoon'.

Indira Balkissoon
ROC 9 Senior Task Order Manager

AR:KB:JB:as

cc: Central Files, TechLaw, Inc.

**Review of the Draft Fourth Five-Year Review, Hunters Point Naval Shipyard,
San Francisco, California, July 2018**

GENERAL COMMENTS

1. The Draft Fourth Five-Year Review, Hunters Point Naval Shipyard, San Francisco, California, July 2018 (the FYR) does not adequately discuss the potential contractor manipulation and/or falsification of radiological data at Hunters Point. According to the last paragraph of Section 5.2, “The Navy has completed an extensive review of the radiological remediation documents and data...and has identified the areas where resurveying for radionuclides is required to address all issues discovered;” however, the FYR does not identify the areas that require resurveying. The recommendation in Section 7.0 does indicate that Parcels B-1, B-2, C, D-2, G, E, UC-1, UC-2, and UC-3 are affected, but the text does not discuss the extent of rework that will be necessary. In addition, it is unclear how the radiological data issue has impacted the protectiveness determinations for each parcel, because the protectiveness determinations included in the subsections of Section 8.0 are not consistent with the guidelines outlined in the EPA document Clarifying the Use of Protectiveness Determinations for Comprehensive Environmental Response, Compensation, and Liability Active Five Year Reviews, OSWER 9200.2-111 (the Protectiveness Guidance), dated September 2012. Please revise the FYR to clarify the extent of radiological rework. Please also revise the protectiveness determinations for each parcel in the subsections of Section 8.0 to clarify the impact of the radiological data issue on protectiveness and to use language consistent with the Protectiveness Guidance.
2. EPA has previously commented that the fourth FYR should recommend that the Navy perform updated risk evaluations for existing remediation goals (RGs) using the current versions of the EPA’s radiological risk models, but this is not addressed in the FYR. These include the Preliminary Remediation Goals (PRG) Calculator for soil, the Building PRG Calculator for buildings, and the Surface PRG Calculator for surfaces. For example, risk should be calculated for soil, buildings, piers, and bollards. Please revise the FYR to recommend that the Navy perform updated risk evaluations for existing RGs using the current versions of the EPA’s PRG calculators.
3. The Summary Form of the FYR is not consistent with the November 2011 Five Year Review Summary Form Update. The Summary Form should include summaries of the issues, recommendations and follow-up actions, the protectiveness statement(s), and any other comments; however, this information is not provided in the Summary Form of the FYR. Please revise the Summary Form of the FYR to ensure the content is consistent with the November 2011 Five Year Review Summary Form Update.
4. One removal action, the 1988 Basewide Removal of PCB [polychlorinated biphenyls]-Containing Transformers is only included in Table 10 for Parcel E; however, this action should also be included in the pre-Record of Decision (ROD) action tables for Parcels B, C, and D (Tables 2, 4, and 7). Please revise the pre-ROD action tables for Parcels B, C, and D to include the 1988 Basewide Removal of PCB-Containing Transformers.

5. The FYR does not address some of the concerns expressed during the interview process. For example, one of the Regulatory Agency Interview Records in Appendix B1 asks the Navy to “address in the Five-Year Review the steps the Navy has already taken and will take in the future to improve contractor oversight.” Similarly, the Community Member Survey Records in Appendix B2 ask for feedback regarding how the Navy can communicate better with the local community, but the FYR does not include any recommendations to improve communication with the community. Please ensure the requests and concerns identified during the interview process are addressed in the main text of the FYR.
6. Section 8.0 does not include protectiveness determinations for Parcel E or Parcel E-2. While it is understood that the remedies are not complete for Parcels E and E-2, the Protectiveness Guidance includes information to assist in determining protectiveness if the remedies are not yet complete. Please revise Section 8.0 to include protectiveness determinations for Parcel E and Parcel E-2.
7. There are several uncertainties related to the observations made during the site inspections. These include, but are not limited to the following:
 - Section 5.3 states that minor holes were observed at Installation Restoration Site (IR)-07/18, but these holes did not impact the effectiveness of the soil cover; however, it is unclear whether these holes will continue to be monitored in the future to ensure they do not expand (i.e. it is unclear whether the operations and maintenance contractor is aware of the holes). In addition, the FYR does not include a figure depicting the location(s) of the holes.
 - According to Section 5.3, there was “minor damage caused by weed growth at seams in the asphalt cover” at Parcel B-1; however, it is unclear whether weed control will be implemented to prevent additional damage to the seams. In addition, the FYR does not include a figure depicting the location(s) of the weed concerns at Parcel B-1.
 - Section 5.3 indicates that minor damage caused by weed growth at the seams in the asphalt covers were also observed at Parcels C and G, but does not indicate whether weed control will be implemented at these parcels to prevent additional damage to the seams. In addition, the FYR does not include a figure depicting the location(s) of the weed concerns at Parcels C and G.
 - The second to last paragraph of Section 5.3 states that “The newly installed asphalt cover in Parcel UC-3 was observed to be in good condition, with only minor damage caused by frequent traffic on the roadway surface;” however, it is unclear why evidence of damage was observed and whether there are any actions that could be taken to minimize damage to the asphalt cap. In addition, it is unclear why there is already damage to a newly installed asphalt cover, which could lead to concerns regarding the longevity of the asphalt cover at Parcel UC-3. Lastly, the FYR does not include a figure depicting the location(s) of asphalt damage at Parcel UC-3.
 - According to the last paragraph of Section 5.3, “Monitoring well surface completions observed during the site inspections were found to be in good condition,” but the text does not indicate whether locks were present and secure on the well heads and if all wells were marked/labeled. In addition, there is no

summary of the condition of the Soil Vapor Extraction (SVE) systems and associated extraction wells present at Parcel C.

Please revise the FYR to provide additional information regarding the observations made during the site inspections.

8. None of the parcel-specific figures depict the past or current groundwater plume extents. This information is required to demonstrate remedy progress. Depiction of plume extents is important for evaluation of Question A, which evaluates remedy performance (i.e., the text should not just discuss what actions were taken, but whether these remedy actions have been effective). Please revise the FYR to include figures depicting the past and current groundwater plume extents and include an evaluation of progress in addressing groundwater plumes in the text discussing Question A.
9. Some of the remedy components discussed in the text of the FYR are not depicted on the parcel-specific figures. Examples include, but are not limited to the following:
 - Figure 6 does not depict the location(s) of the in-situ groundwater treatment areas or the soil hot spot removals at Parcel C.
 - Figure 7 does not depict the location(s) of the in-situ groundwater treatment or the soil hot spot removals for Parcel D-1.
 - Figures 8 and 9 depict remedy components for Parcels E and E-2, respectively, but these figures should distinguish between remedy components that have been implemented and remedy components that are still in progress since many remedy components have yet to be implemented. In addition, the title of Figure 9 references Parcel E, but should reference Parcel E-2.
 - Figure 10 does not depict the location(s) of the in-situ groundwater treatment areas or the soil hot spot removals at Parcel G.

Please revise the parcel-specific figures to depict all the applicable remedy components for each parcel. Alternatively, if the parcel-specific figures will become too cluttered, please add additional figures to depict applicable remedy.

SPECIFIC COMMENTS

1. **Section 1.0, Introduction, Page 1-1:** Section 1.0 states that “This fourth five-year review was conducted for all parcels at HPNS (except Parcel A);” however, Parcel F is also not evaluated on this FYR because the ROD has not been completed. In addition, Section 1.0 does not identify who conducted the review and when it was conducted. Please revise Section 1.0 to clarify that Parcel F is also not evaluated in the FYR. Please also revise Section 1.0 to identify who conducted the review and when it was conducted.
2. **Section 3.2.4, Pre-ROD Activities and Remedy Selection at Parcel E (Parcels E, E-2, and UC-3), Page 3-5:** The description of the Parcel E-2 ROD requirements in Section 3.2.4 is too generic. This parcel differs from the others because it contains a landfill. While it is understood that the specific components are included in Table 12, Section 3.2.4 should better describe requirements to address the Parcel E-2 landfill, including wetland mitigation. Please revise Section 3.2.4 better describe requirements for addressing the Parcel E-2 landfill, including wetland mitigation.

3. **Section 3.3.1.2, LTM and Maintenance Activities, Page 3-9:** According to the first paragraph on page 3-9, “The annual inspection event was conducted in April 2016 during the fifth year of LTM [long-term monitoring] and maintenance, but was not formally documented;” however, the text does not explain why there was no formal documentation of the 2016 annual inspection event. In addition, future annual inspections need to be formally documented to support the future FYRs. Please revise Section 3.3.1.2 to explain why there was no formal documentation of the 2016 annual inspection event. Please also ensure future annual inspections are formally documented.
4. **Section 3.3.1.2, LTM and Maintenance Activities, Page 3-10:** Further information should be provided about the exceedence of the lead RG in groundwater. The Groundwater Monitoring discussion states that “lead concentrations exceeded the RG of 14.44 micrograms per liter (µg/L) during one sampling event (September 2017)” and that this result “is the first time lead concentrations have exceeded the RG in the past 10 years.” However, the text does not discuss the potential cause of the increased lead concentrations or indicate whether any additional investigation or action is needed. Please revise the text does discuss the potential cause(s) of the increased lead concentrations and to indicate whether any additional investigation or action is needed regarding lead in groundwater.
5. **Section 3.3.2.1, RA Activities and Implementation of ICs, Page 3-11:** Section 3.3.3.1 states that injections were performed in 2013 and that “post-injection groundwater monitoring is ongoing,” but does not indicate how frequently post-injection monitoring is conducted, for how long post-injection monitoring will continue, or the outcome of the monitoring (i.e., whether injections were successful at reducing concentrations, if additional injections are needed due to concentration rebound, or if insufficient information is available). More than five years have passed since injections were performed, so the FYR should discuss whether injections have been successful. Please revise Section 3.3.2.1 to indicate how frequently post-injection monitoring is conducted, how long post-injection monitoring will continue, and to summarize the outcome of the post-injection monitoring.
6. **Section 3.3.2.1, RA Activities and Implementation of ICs, Page 3-12 and Section 8.3, Parcel B-2, Pages 8-1 and 8-2:** According to Section 3.3.2.1, in-situ treatment of mercury using a stabilizing agent is currently underway at Parcel B-2 to minimize migration of mercury in groundwater to the bay; however, given that the actions to address mercury are still in progress and mercury is still present above trigger levels, it is unclear how protectiveness is impacted. Section 8.3 includes multiple statements regarding protectiveness at Parcel B-2, including:
 - “The remedies completed to date for Parcel B-2 are protective of human health and the environment;” and
 - Stabilization of mercury in soil “will be protective of the environment.”A single protectiveness determination should be provided for each applicable medium at Parcel B-2 and the protectiveness statement should be consistent with the guidelines outlined in the Protectiveness Guidance. Please revise the protectiveness statement for Parcel B-2 in Section 8.3 to include a single protectiveness determination and to be consistent with the guidelines outlined in the Protectiveness Guidance.

7. **Section 3.3.2.2, LTM and Maintenance Activities, Page 3-13:** Section 3.3.2.2 does not discuss the damage to the Parcel B-1 durable cover due to a major water line leak. Please revise Section 3.3.2.2 to discuss the water line leak and the resulting damage to the durable cover.
8. **Section 3.3.2.2, LTM and Maintenance Activities, Page 3-14:** The Groundwater Monitoring discussion of Section 3.3.2.2 states an investigation for per- and polyfluoroalkyl substances (PFAS) was conducted at IR-10 “as a results of historical uses,” but does not summarize the historical uses for this site. In addition, it is unclear whether there are any other sites at Hunters Point that require investigation for PFAS. Please revise Section 3.3.2.2 to summarize the historical uses for IR-10 related to PFAS. Please also revise the FYR to indicate whether there are any other sites at Hunters Point that require investigation for PFAS.
9. **Section 3.3.3.1, RA Activities and Implementation of ICs, Pages 3-15 and 3-17 and Figure 6, Overview of Remedy Components for Parcel C:** The text at the bottom of page 3-15 states that “Construction and operation of five SVE systems within Remedial Unit (RU)-C1, RU-C2, RU-C4, and RU-C5 began in 2013,” but Figure 6 shows eight SVE areas within these RUs and does not identify which areas currently have SVE systems (e.g., Areas 2, 4, and 5 do not have SVE systems yet per the text). In addition, Section 3.3.3.1 states that “System operation has not yet been performed at Areas 2, 4, and 5,” but does not estimate when SVE will be conducted at these areas. Please revise Figure 6 to distinguish between areas with SVE and areas that have not yet had SVE operations implemented. Please also revise Section 3.3.3.1 to indicate when SVE operations are planned for Areas 2, 4, and 5.
10. **Section 3.3.3.1, RA Activities and Implementation of ICs, Page 3-17:** Section 3.3.3.1 states that several injections occurred between 2014 and 2017 and that “Post-injection groundwater monitoring is currently being performed under the BGMP [Basewide Groundwater Monitoring Program];” however, the text does not indicate how frequently post-injection monitoring is conducted, how long post-injection monitoring will be required, or when sufficient data will be available to determine the outcome of the injections (i.e., to evaluate whether injections were successful at reducing concentrations or if additional injections are needed due to concentration rebound). Please revise Section 3.3.2.1 to indicate how frequently post-injection monitoring is conducted, how long post-injection monitoring will continue, and when sufficient data will be available to determine the outcome of the injections.
11. **Section 3.3.3.1, RA Activities and Implementation of ICs, Page 3-18:** Section 3.3.3.1 should discuss the radiological remediation of Buildings 211 and 253 that will be conducted in the future. While it is understood that the work is still in the planning stages, the text should outline the remediation that will be conducted. Please revise Section 3.3.3.1 to discuss the radiological remediation of Buildings 211 and 253 that will be conducted.
12. **Section 3.3.4.1, RA Activities and Implementation of ICs, Page 3-19 and Section 6.1.2, Durable Covers, Page 6-3:** Section 3.3.4.1 includes construction of durable

covers; however, durable covers at Parcel D-1 are not discussed in Section 6.1.2. Please revise Section 6.1.2 to discuss durable covers at Parcel D-1.

13. **Section 3.3.7.2, LTM and Maintenance Activities, Page 3-29:** The Landfill Cap Inspection and Maintenance discussion does not discuss the removal of the interim landfill cap. This cap was removed so that the final cap can be constructed. This is important because once the interim cap was removed, previous inspection and monitoring activities no longer apply. Please revise Section 3.3.7.2 to discuss the removal of the interim landfill cap.
14. **Section 3.3.9.1, RA Activities and Implementation of ICs, Page 3-31 and Section 6.1.4, In-Situ Groundwater Treatment, Page 6-5:** Section 3.3.9.1 includes treatment of volatile organic compounds (VOCs) in groundwater at the IR-71 plume using in-situ bioremediation (ISB) or zero-valent iron (ZVI); however, in-situ groundwater treatment at Parcel G is not discussed in Section 6.1.4. Please revise Section 6.1.4 to discuss in-situ groundwater treatment at Parcel G.
15. **Section 3.3.10.2, LTM and Maintenance Activities, Page 3-36; Section 8.8, Parcel UC-1, Page 8-3; and Section 8.9, Parcel UC-2, Page 8-3:** The first paragraph on page 3-36 states that “During preparation of this five-year review, the durable covers in Parcels UC-1 and UC-2 were observed to be severely damaged due to redevelopment construction activities;” however, this status does not appear to be reflected in the protectiveness determinations for these parcels, found in Sections 8.8 and 8.9, respectively. Both Sections 8.8 and 8.9 state that the remedies “are protective of human health and the environment.” The Protectiveness Guidance should be used to make protectiveness determinations for Parcels UC-1 and UC-2 that reflect the compromised durable covers during construction activities. Please revise the protectiveness determinations for Parcels UC-1 and UC-2 in Sections 8.8 and 8.9, respectively, to account for the compromised durable covers during construction activities.
16. **Section 3.3.11.1, RA Activities and Implementation of ICs, Page 3-37 and Section 8.10, Parcel UC-3, Page 8-4:** In regard to VOCs in soil gas near well IR74-MW01A, Section 3.3.11.1 states, “The Navy is evaluating this hazard to determine if it is necessary to designate an ARIC [Area Requiring Institutional Controls] in this area to address future inhalation and other exposure hazards;” however, this ARIC evaluation does not appear to be reflected in the protectiveness determination Parcel UC-3 in Section 8.10. Section 8.10 states that the remedies at Parcel UC-3 “are protective of human health and the environment.” The Protectiveness Guidance should be used to make a protectiveness determination that reflects the uncertainty that remains to be addressed by the ARIC evaluation. Please revise the protectiveness determination for Parcel UC-3 in Section 8.10 to account for the uncertainty that remains to be addressed by the ARIC evaluation.
17. **Section 4.0, Progress Since Last Review, Page 4-1:** Section 4.0 does not include subsections for Parcels E, E-2, or UC-3, so it is unclear whether these parcels were included in the Third FYR. Please revise Section 4.0 to clarify whether Parcels E, E-2, and UC-3 were included in the Third FYR.

18. **Section 6.1.2, Durable Covers, Page 6-3:** Section 6.1.2 states that “the durable covers, as required by the RODs, were implemented properly and are functioning as intended in IR-07/18 and Parcels B-1, B-2, C, G, UC-1, UC-2, and UC-3;” however, this statement is not accurate for Parcels UC-1 and UC-2. Section 3.3.10.2 states that “Parcels UC-1 and UC-2 were observed to be severely damaged due to redevelopment construction activities” and Section 5.3 indicates that the covers at these parcels were not inspected during the site inspection. Please revise Section 6.1.2 to indicate that the durable covers in Parcels UC-1 and UC-2 are not currently functioning as intended, but will be repaired following completion of the construction activities. Please also revise Section 6.1.2 to describe any practices that are in place to prevent exposure at Parcels UC-1 and UC-2 while the durable covers are in disrepair.
19. **Section 6.1.3, SVE, Pages 6-4 and 6-5:** Section 6.1.3 states that SVE is expected to begin in Areas 4 and 5 of Parcel C in 2018, but does not estimate when SVE will begin for Area 2. In addition, Section 6.1.3 states that the SVE systems are “not operating efficiently to reduce the mass of source contamination in soil” and “[o]ptimization of the existing SVE systems will not significantly improve source mass reduction,” but does not specify to which systems this applies (e.g., Parcel B-1, Parcel C, all current SVE systems, etc.) or indicate whether this will impact whether future SVE systems (e.g., Areas 2, 4, and 5 of Parcel C) will be implemented. Lastly, the FYR does not indicate how the RAOs will be achieved if the source mass is not reduced. Please revise Section 6.1.3 to estimate when SVE will begin at Area 2 of Parcel C. Please also revise Section 6.1.3 to identify which SVE systems are not operating effectively and to discuss whether this will impact whether future SVE systems will be implemented. Lastly, please revise the FYR to discuss how the RAOs will be achieved if the source mass is not reduced.
20. **Section 6.1.4, In-Situ Groundwater Treatment, Page 6-5 and Section 6.1.5, MNA and LTM of Groundwater, Page 6-6:** Section 6.1.4 indicates that the in-situ groundwater remedies are functioning as intended, but does not discuss the stability of groundwater plumes (i.e., whether the extent of each plume is increasing, stable, or decreasing) or the stability of groundwater concentrations (i.e., whether groundwater trends are increasing, stable, or decreasing). Similarly, Section 6.1.5 indicates that the monitored natural attenuation (MNA) groundwater remedies are functioning as intended, but does not discuss the stability of groundwater plumes or of groundwater concentrations. Please revise Sections 6.1.4 and 6.1.5 to provide additional information regarding the performance of the in-situ groundwater remedies and MNA groundwater remedies, respectively.
21. **Section 6.1.6, Radiological Surveys and Remediation, Page 6-7:** The bullet points under Section 6.1.6 indicate that the radiological remedies that have been successfully completed and are functioning as intended at IR-07/18 and Parcel D-1; however, it is unclear whether these remedies were determined to be functioning as intended because the Navy found no evidence of compromised radiological data for these areas or if this work was done by a different entity. The text should state why these radiological remedies are functioning as intended. Please revise Section 6.1.6 to clearly indicate whether the radiological remedies for IR-07/18 and Parcel D-1 were determined to be free of compromised radiological data.

22. **Section 6.1.6, Radiological Surveys and Remediation, Pages 6-7 and 6-8:** The System O&M [Operations and Maintenance] discussion states that “O&M is not applicable to the completed radiological remedies in Parcel D-1, because this parcel has been radiologically released;” however, this is not consistent with the second to last paragraph of Section 6.1.6, which states that “ICs [institutional controls] for radionuclides are applicable to a portion of Parcel D-1, as this area was not released by the Phase 1 and Phase 2 TCRAs [time-critical removal actions].” Please revise Section 6.1.6 to resolve this discrepancy.
23. **Section 6.2.4, Changes in Exposure Pathways, Page 6-14:** According to Section 6.2.4, “The feasibility assessment concluded that current site conditions are appropriate for residential use in most of Parcel G” and “An ESD [Explanation of Significant Differences] to the Final ROD was prepared to document the reduction in the areas requiring residential land use restrictions, based on the recommendations of the feasibility assessment;” however, it is unclear whether the reduction in the areas requiring residential land use restrictions is impacted by issues related to potential contractor manipulation and/or falsification of radiological data at Hunters Point. If the feasibility assessment was based in part on impacted radiological data, then this should be stated in Section 6.2.4. Please revise Section 6.2.4 to clarify whether the feasibility assessment for residential use conducted at Parcel G used any impacted radiological data.
24. **Section 7.0, Issues, Recommendations, and Other Findings, Page 7-2:** Section 7.0 indicates that the recommendation for implementation of corrective actions to ensure that the radiological remedies specified in the decision documents have been implemented as intended does not affect current protectiveness, but it is not clear why current protectiveness is not a concern. In addition, Section 7.0 indicates the effect on future protectiveness is “To Be Determined,” but it is unclear why future protectiveness will be impacted if corrective actions will be implemented. Please revise Section 7.0 to clarify the effect of the recommendation for implementation of radiological corrective actions on both current and future protectiveness.
25. **Section 8.4, Parcel C, Page 8-2:** Section 8.4 includes multiple statements regarding the protectiveness at Parcel C, including:
- “The remedies completed to date for Parcel C are protective of human health and the environment;” and
 - Additional groundwater treatment “is currently underway and expected to be protective in the future;” and
 - “Operation of the SVE system at Areas 1, 3, 6, 7, and 8, is ongoing and ICs will be relied upon in the future to protect human health.”
- A single protectiveness determination should be provided for each of the applicable media at Parcel C and the protectiveness statement should be consistent with the guidelines outlined in the Protectiveness Guidance. Please revise the protectiveness statement for Parcel C in Section 8.4 to include a single protectiveness determination and to be consistent with the guidelines outlined in the Protectiveness Guidance.
26. **Table 10, Pre-ROD Response Actions for Parcel E (i.e., Parcels E, E-2, and UC-3):** Table 10 is missing the Metal Slag Area Removal Action, which occurred during the

same time frame as the Metal Debris Reef Removal Action. Please revise Table 10 to include the Metal Slag Area Removal Action.